

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

REGINA ANKRAH and ISAAC OWUSU-) CIVIL ACTION NO: 04-40249
AFRIYIE, as CO-EXECUTORS OF THE)
ESTATE OF ANGELINA OWUSU-AFRIYIE)
)
PLAINTIFFS,)
)
V.)
)
THE UNITED STATES OF AMERICA,)
KENNETH K. GERWECK, M.D. AND)
SANDRA L. SALERNO, R.N.)
)
DEFENDANTS.)
)

**JOINT STATEMENT OF PARTIES
FOR SCHEDULING CONFERENCE**

NOW COME the parties in the above-entitled action to provide a reasonable timetable for discovery and motion practice in order to help ensure a fair and just resolution of this matter without undue expense or delay.

Timetable for Discovery and Motion Practice

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and Local Rule 16.1(F):

1. **Initial Disclosures.** Initial disclosures required by Fed. R. Civ. P. 26(a)(1) must be completed by July 29, 2006.
2. **Amendments to Pleadings.** Except for good cause shown, no motions seeking leave to add new parties or to amend the pleadings to assert new claims or defenses may be filed after March 1, 2006.

3. Fact Discovery – Interim Deadlines.

- a. All requests for production of documents and interrogatories must be served by August 1, 2006.
- b. All requests for admission must be served by August 1, 2006.
- c. All depositions, other than expert depositions, must be completed by September 30, 2006.

4. Fact Discovery – Final Deadline. All discovery, other than expert discovery, must be completed by September 30, 2006.

5. Status Conference. A status conference will be held on June 2006.

6. Expert Discovery.

- a. Plaintiffs' trial expert must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed, by October 1, 2006.
- b. Plaintiffs' trial experts must be deposed by February 1, 2007.
- c. Defendants' trial experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed, by November 30, 2006.
- d. Defendants' trial experts must be deposed by February 1, 2007.

7. Dispositive Motions.

1. Dispositive motions, such as motions for summary judgment or partial summary judgment and motions for judgment on the pleadings, must be filed by February 1, 2007.
2. Oppositions to dispositive motions must be filed within 30 days after service of the motion.

8. Pretrial Conference. A pretrial conference will be held in May 2007.

Please be advised the above-referenced dates have been agreed to by Attorney David Suchecki and Attorney Heather Beattie.

RESPECTFULLY SUBMITTED,
THE PLAINTIFFS,

BY THEIR ATTORNEY,

/s/ David W. Suchecki
ELIZABETH N. MULVEY
DAVID W. SUCHECKI
CROWE AND MULVEY, L.L.P.
141 TREMONT STREET
BOSTON, MA 02111
(617) 426-6006

RESPECTFULLY SUBMITTED,
DEFENDANTS KENNETH K. GERWECK,
M.D. AND SANDRA L. SALERNO, R.N.,

BY THEIR ATTORNEY,

/s/ Heather G. Beattie
HEATHER G. BEATTIE
MORRISON, MAHONEY, LLP
1500 MAIN STREET
P.O. BOX 15387
SPRINGFIELD, MA 01115-5387
(413) 737-4373

CERTIFICATE OF SERVICE

I, David W. Suchecki, hereby state that on Friday, June 10, 2005, I served a copy of the following:

JOINT STATEMENT OF PARTIES FOR SCHEDULING CONFERENCE

on the defendant(s), via electronic mailing, addressed to the following parties of interest:

Gina Walcott-Torres
Assistant U.S. Attorney
U.S. Department of Justice
John Joseph Moakley United States Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210

Attorney, Heather G. Beattie
Morrison, Mahoney, LLP
1500 Main Street
P.O. Box 15387
Springfield, MA 01115-5387

/s/ David W. Suchecki
David W. Suchecki